**HIGH COURT OF UTTARANCHAL AT NAINITAL**
**Writ Petition No. 1010 (M/S) of 2006**

Bhagwan Singh S/o Sri Baripam Singh,
R/o Barwala, Tehsil-Bazpur,
District Udham Singh Nagar.

.....Petitioner

Versus

1. State of Uttaranchal, through the District Magistrate, Udham Singh Nagar.
2. The Tehsildar, Bazpur, District Udham Singh Nagar.
3. Allahabad Bank, Rudrapur, through its Branch Manager, District Udham Singh Nagar.

.....Respondents

Sri Siddhartha Bisht, Advocate for the petitioner
Standing Counsel for the respondents

**Dated: 2.8.2006**

**Hon'ble Rajesh Tandon, J.**

By the present writ petition, the petitioner has prayed for a writ of certiorari, quashing the recovery certificate dated 13.7.2006.

Briefly stated, the agricultural loan was taken by the petitioner and on failure to pay the loan amount, recovery proceedings were initiated.

There is no occasion to quash the recovery certificate as admittedly the loan amount was taken by the petitioner to the extent of Rs. 3,00,000/- on 18.7.2000. However, the petitioner has sought time to pay the loan amount in installments.

In the case of **Central Bank of India V. Ravindra and others, AIR SC 3095,** the Apex Court has observed:-

> *"Statement of accounts supplied by banks to borrows many a times do not contain particulars or details of debit entries and when written in hand are worse than medical prescriptions putting to test the eyes and wits of the unhealthy dealings can be multiplied though they cannot be generalized."*

Considering the aforesaid judgment of Apex Court in Central Bank of India V. Ravindra and others (Supra), the Bank Authorities shall give the statement of account to the petitioner.

A writ of mandamus is issued directing the respondent bank to permit the petitioner to deposit the amount in six equal four-monthly installments.

The First installment shall be deposited by 30th of September, 2006. In case of failure to abide by the aforesaid terms, the interim protection given to the petitioner shall no more be available to the petitioner.

Subject to the above, writ petition is disposed of. No order as to costs.

**(Rajesh Tandon, J.)**

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